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Philosophy and Theology: The Repugnant Conclusion on Earth-C

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Philosophy and Theology

In his essay "The Roman Catholic Church and the Repugnant Conclusion," David Shaw asks us to imagine Earth-C, an Earth-Catholic in which not only is everyone Catholic, but also official Catholic doctrine forms social policy and law across the entire globe: "This editorial uses the thought experiment of a world ruled according to Catholic doctrine to suggest that the global implementation of such policies would lead to a planet that resembles that of Derek Parfit's (1987) Repugnant Conclusion, where there are tens of billions of people with lives that are barely worth living."[1] In Shaw's view, Earth-Catholic is a dystopian nightmare.

Shaw anticipates the critique that "it might be argued that the picture I have sketched is very uncharitable to Catholicism." But he comes to the conclusion that "if anything, I have erred on the side of being too kind to the Church in this paper by conceding that homosexuality would not be outlawed on Earth-C (as it was in the past on our Earth) and that patients would be permitted to refuse extraordinary treatment, as is sometimes not the case in very Catholic countries such as Italy" (13). If we are to assess whether Shaw in this essay is uncharitable, we need to consider the specifics of his critique.

On Earth-Catholic, Shaw writes, "women cannot access contraception or abortion, meaning that their reproductive autonomy is limited and that there are many more unwanted pregnancies as well as deaths from complications of pregnancy and from childbirth" (11). In fact, on Earth-Catholic, the number of unwanted pregnancies would radically diminish. A large proportion of all unwanted pregnancies result from sex outside marriage, such as adultery, rape, and premarital sex. All these practices, since they contradict Catholic doctrine, would be greatly discouraged

1. David Shaw, "The Roman Catholic Church and the Repugnant Conclusion," *Journal of Bioethical Inquiry* 13.1 (March 2016): 11, doi: 10.1007/s11673-015-9695-8. All subsequent citations appear in the text. See also Derek Parfit, *Reasons and Persons* (Oxford: Oxford University Press, 1987), 388.

on a Catholic earth.[2] There would also be fewer unwanted pregnancies for married couples as well, since according to Catholic teaching, they should together decide the number and spacing of their children.[3] Multiple studies indicate that fertility awareness methods (natural family planning), when used as recommended, are a highly effective way of limiting family size.[4] Catholic doctors and hospitals already work to minimize as much as possible the dangers of pregnancy. In the very rare case in which indirect abortion is necessary to save the life of the mother, such as removal of a gravid cancerous uterus, the death of the unborn is accepted as a side effect of the legitimate lifesaving action for the mother. In addition, since abortion increases the likelihood of ectopic pregnancy, those who follow pro-life teaching lower their risk of this cause of maternal death in the first trimester.[5]

Moreover, on truly Catholic earth, reproductive autonomy would not be limited. Autonomy is a self-given law. On Earth-Catholic, women and men form their consciences properly so that they seek *as their own ideal* to live in accordance with God's revelation as understood by the Church. Such women and men are disgusted by abortion and would never intentionally kill their prenatal sons or daughters under any circumstances. Likewise, such people have no desire to use contraception but seek to be open to life in their marriages in part because they view children as the supreme gift of marriage.

According to Shaw, on Earth-Catholic, "people who are gay are discriminated against and persecuted" (11). On the contrary, the Congregation for the Doctrine of the Faith stated, "It is deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the Church's pastors wherever it occurs. It reveals a kind of disregard for others which endangers the most fundamental principles of a healthy society. The

2. See Thomas Aquinas, *Summa theologiae* I-II.96.2. Whether discouragement of these practices is legal or merely social on Earth-Catholic remains an open question. Shaw seems unfamiliar with the teaching of St. Thomas Aquinas (and the Catholic Church more broadly) that not all practices that are immoral should also be made illegal. So, Earth-Catholic might legally permit premarital sex and adultery (while socially condemning them) and at the same time legally forbid rape.
3. *Catechism of the Catholic Church*, 2nd ed. (Washington, DC: US Conference of Catholic Bishops / Libreria Editrice Vaticana, 2016 update), n. 2368. All subsequent citations appear in the text.
4. See Rachel Peragallo Urrutia and Chelsea B. Polis, "Fertility Awareness Based Methods for Pregnancy Prevention," *British Medical Journal* 366 (July 11, 2019), l4245, doi: 10.1136/bmj.l4245. As with all forms of birth regulation, there is a gap between perfect use and typical use. Sensiplan double check and the Marquette Method are highly effective in not only perfect use but also typical use.
5. Jyotindu Debnath et al., "Ectopic Pregnancy in the Era of Medical Abortion: Are We Ready for It? Spectrum of Sonographic Findings and Our Experience in a Tertiary Care Service Hospital of India," *Journal of Obstetrics and Gynaecology of India* 63.6 (December 2013): 388–393, doi: 10.1007/s13224-013-0459-2; Osaheni L. Lawani et al., "Ectopic Pregnancy: A Life-Threatening Gynecological Emergency," *International Journal of Women's Health* 5 (August 19, 2013): 515–521, doi: 10.2147/IJWH.S49672; and Erin Hendriks et al., "Ectopic Pregnancy: Diagnosis and Management," *American Family Physician* 101.10 (May 15, 2020): 599–606.

intrinsic dignity of each person must always be respected in word, in action and in law."[6] Official Catholic teaching as expressed in the *Catechism of the Catholic Church* holds that gay people "must be accepted with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided" (n. 2358). It is not Catholic teaching, but Shaw's misrepresentation of it, that calls for gays to be discriminated against and persecuted.

Shaw's critique continues, "Terminally ill patients cannot access assisted dying services, and refusing treatment is very difficult because withdrawal of care is also regarded as being against God's will" (11–12). Shaw again ignores or is unaware of actual Catholic teaching, which rejects a vitalism in which every effort must be made to extend the duration of human life. Likewise, the Church rejects a "quality of life" view according to which some human beings lack basic value because they have intellectual or physical disabilities. Rather, the Church defends the view that all human beings, even those with the most severe disabilities, have equal basic dignity. But by contrast, not all treatments are more beneficial than burdensome for the patient. All human beings are valuable, but not all treatments are valuable.[7] Thus, treatments that are more burdensome than beneficial may be discontinued even if a side effect of this is a shortening of the duration of a person's life. The *Catechism* puts it this way: "Discontinuing medical procedures that are burdensome, dangerous, extraordinary, or disproportionate to the expected outcome can be legitimate; it is the refusal of 'over-zealous' treatment. Here one does not will to cause death; one's inability to impede it is merely accepted. The decisions should be made by the patient if he is competent and able or, if not, by those legally entitled to act for the patient, whose reasonable will and legitimate interests must always be respected" (n. 2278). So, anyone who thinks that withdrawal of medical treatment is always against God's will either rejects or does not understand Catholic teaching.

Shaw writes, "Of course, on Earth-C, there is no declaration of human rights, only the Holy Declaration of God's Truth upon which all laws are based" (12). In fact, many scholars hold that the very idea of human rights was first proposed by a Dominican bishop, Bartolomé de las Casas (1484–1566), well before John Locke (1632–1704).[8] The distinguished Catholic philosopher Jacques Maritain helped shape and promote the UN Declaration on Human Rights.[9] Popes before and after the UN Declaration, including Leo XIII, Pius XI, Pius XII, St. John XXIII, St. Paul VI,

6. Congregation for the Doctrine of the Faith, *On the Pastoral Care of Homosexual Persons* (October 1, 1986), n. 10. See also US Conference of Catholic Bishops, *Ministry to Persons with a Homosexual Inclination: Guidelines for Pastoral Care* (Washington, DC: USCCB, 2006).
7. On these distinctions, see John Keown, *Euthanasia, Ethics and Public Policy: An Argument against Legalisation*, 2nd ed. (New York: Cambridge University Press, 2018).
8. See Paolo G. Carozza, "From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights," *Human Rights Quarterly* 25.2 (May 2003): 281–313, doi: 10.1353/hrq.2003.0023.
9. See William Sweet, "Jacques Maritain and the Universal Declaration of Human Rights," in *Christianity and Global Law*, ed. Rafael Domingo and John Witte (New York: Routledge, 2020), chap. 10.

St. John Paul II, Benedict XVI, and Francis, have all endorsed human rights.[10] When Shaw asserts that on Earth-C there is no declaration of human rights, he shows his ignorance of this long Catholic tradition.

In fact, it is Shaw, not the Catholic Church, who denies human rights to an entire class of human beings, namely, prenatal human beings. He writes, "The Church banned all research involving embryos decades ago, but unfortunately this means that millions more people have suffered with and died from Parkinson's, Alzheimer's, and other diseases" (12). This critique assumes two controversial premises. The first is that cures for Parkinson's, Alzheimer's, and other diseases will in fact come from lethal embryo research. This may or may not happen. The second controversial premise is Shaw's assumption that some human beings (those in the embryonic stage of development) do not have basic human rights like the right not to be killed. Shaw would surely agree that we should not pursue cures for diseases by unethical means such as taking organs from unwilling donors or experimenting on children with intellectual disabilities. So, his critique simply assumes without justification that it is morally and legally permissible to kill one class of human beings in order to potentially aid some other class of human beings.[11] It is Shaw who denies universal human rights, not the Catholic Church.

For Shaw the biggest problem with Earth-Catholic is its soaring population. He writes, "Despite the illegal status of sex outside marriage, pregnancy and birth rates have soared under the Catholic regime, to the extent that the world population is already twenty billion and continuing to rise quickly. … Would God prefer a world made up of one hundred billion sad people or ten billion happy ones?" (12) Is this a fair critique?

Shaw is not the first person to predict that more people will lead to massive starvation. In 1968 Paul Ehrlich's best seller *The Population Bomb* proclaimed that "the battle to feed all of humanity is over. In the 1970s the world will undergo famines—hundreds of millions of people will starve to death in spite of any crash programs embarked upon now. At this late date nothing can prevent a substantial increase in world death rate."[12] This prediction was spectacularly wrong. What actually happened in the five decades that followed the publication of Ehrlich's book was an epidemic of obesity in much of the world, and the percentage of extremely poor people fell to its lowest levels in history. Marian Tupy points out, "Between 1968 and 2017, the world's population increased by 113 percent from 3.55 billion to 7.55 billion. Over the same time period, the average global food supply per person per day rose from 2,334 calories to 2,962—a 27 percent increase."[13] In the poorest parts of the world, human beings have made enormous progress toward eradicating

10. See Jodok Troy, "The Papal Human Rights Discourse: The Difference Pope Francis Makes," *Human Rights Quarterly* 41.1 (November 2019): 66–90, doi: 10.1353/hrq.2019.0003.
11. For a critique, see Robert P. George, "Embryo Ethics," *Daedalus* 137.1 (Winter 2008): 23–35, doi: 10.1162/daed.2008.137.1.23.
12. Paul R. Ehrlich, *The Population Bomb* (New York: Ballantine Books, 1968), 12.
13. Marian L. Tupy, "The Battle to Feed Humanity Has Been Won," Human Progress, February 13, 2020, https://www.humanprogress.org/the-battle-to-feed-all-of-humanity-is-over-humanity-has-won/.

hunger. Tupy writes, "Even in sub-Saharan Africa, the world's poorest region, food supply per person per day rose from 1,852 in 1961 to 2,449 in 2017—a 32 percent increase. According to one report, 'There is a silent epidemic sweeping through Africa and it's worse than HIV. Out of the 20 fastest rising countries with obesity, nearly half of them are in Africa. The health burden on the continent is rising.'"[14]

Ehrlich's prediction failed in part because people do not simply consume food; they also produce it. Today, with technological advancement, people can produce more food on less land than ever before. Marian Tupy and Gale Pooley point out, "Over this 40-year period, personal food abundance increased by 335.2 percent, while global food abundance increased by 665.1 percent. Since the population increased by 75.8 percent, every one percent increase in population corresponded with a 4.42 percent increase in personal food abundance and an 8.77 percent increase in global food abundance. It's as if more people are creating exponentially more food to share with the rest of us."[15] So, contra Ehrlich and Shaw, billions more people do not necessarily lead to massive starvation and misery.

But let us assume the premise that a higher population will eventually lead to problems in feeding the population. In a world populated only by faithful Catholics, a good number of people would forgo marriage entirely. Indeed, in such a world, a vocation to the priesthood or religious life would be highly esteemed, so the number and percentage of people living in this way would almost certainly be much higher than they currently are.

Of course, other Catholics would marry and have children. How many children would they have? The number would vary from couple to couple. According to Catholic teaching, there is no particular number of children spouses should have. Each couple is called to make a prudent and generous decision about family size, taking into account all the relevant factors. Indeed, the decision to have a child, like all decisions governed by practical wisdom, cannot be made outside the context of the concrete particularities of the situation. One important consideration is the resources available. So, if the population began to outstrip the resources of the community, then faithful Catholic couples would take this factor into account when determining the number of children that they have. In Earth-Catholic, well before the resources were stretched to the absolute limit, well before everyone was just barely alive, Catholic spouses exercising their practical wisdom would decide to limit their family size because of the diminishing resources available for their family and the human community.

Shaw's misrepresentation of Catholic teaching continues: "The Church regards the 'pro-life' position as being an imperative to maximize quantity, rather than quality of life—the very problem posed by the Repugnant Conclusion" (13). He cites no evidence that the Church seeks to maximize the quantity of human beings on planet

14. Tupy, "Battle to Feed Humanity," citing Chrispin Mwakideu, "Obesity in Africa: A Looming Health Catastrophe," Deutsche Welle, December 9, 2019, https://www.dw.com/en/obesity-in-africa-a-looming-health-catastrophe/a-49920972.
15. Marian L. Tupy and Gale Pooley, "Paul Ehrlich Ignores Abundance Again," Human Progress, October 15, 2021, https://www.humanprogress.org/paul-ehrlich-ignores-abundance-again/.

earth—for a good reason. There is no such teaching. If the Church sought to maximum reproduction, then why forbid polygamy? Polygamous societies are able to reproduce much more rapidly because, on average, women in polygamous societies marry and have children at younger ages compared with women in monogamous societies. If the Church sought to maximum reproduction, then why not encourage priests and nuns to marry and have children? Why would the Church forbid divorce in the case of infertility of a spouse? Why would the Church allow couples to use natural family planning and fertility awareness methods to avoid having children? If the Church sought to maximum reproduction, it would encourage premarital sex as early as possible, adulterous affairs as frequently as possible, as well as rape and incest, since these sexual unions can and do result in pregnancies. In fact, the Church condemns all these actions as intrinsically evil. Only someone ignorant of basic Catholic teachings could assert that the Church has an imperative to maximize the quantity of human beings on planet earth.

Is it true, as Shaw implies, that the Catholic Church does not care for the quality of life of people? Perhaps he could name an institution that educates more people worldwide than the Catholic Church does—or an institution that cares for more homeless people, or helps more immigrants, or cares for more who are imprisoned.[16] On Earth-Catholic, everyone would love their neighbor as themselves. Everyone would use their money and their power to serve the common good. Everyone would see Jesus in whoever is hungry, whoever is thirsty, whoever is ill (Matt. 25:40). Does that earth really sounds like a hellish dystopia?

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16. See Christopher Kaczor, *The Seven Big Myths about the Catholic Church* (San Francisco: Ignatius Press, 2012) chap. 2.